

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

VICTORY PROCESSING, LLC, and
DAVE DISHAW,

Plaintiffs,

vs.

TIM FOX, in his official capacity as
Attorney General for the State of
Montana,

Defendant.

CV 17-27-H-CCL

ORDER

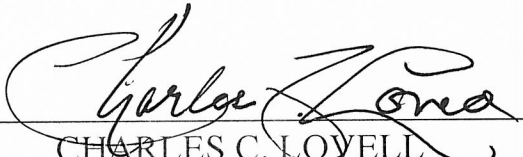
During yesterday's hearing on Plaintiffs' Application for Attorneys' Fees and Expenses, Plaintiffs' counsel moved to supplement their application with additional work performed in connection with the application, citing *Sate v. Risley*, 785 F. Supp. 134 (D. Mont. 1992). Counsel for the State asked that it be allowed to file objections to the supplemental application.

As the Court explained during the hearing, I appreciate the efforts to date by both parties to resolve this issue and encourage them to continue working on a possible resolution. Should those efforts prove unsuccessful, the Court sets the following briefing schedule for Plaintiffs' supplemental application.

Plaintiffs may file a supplemental application on or before November 17, 2020. Defendant may file his objection on or before December 1, 2020. Plaintiffs may have until December 8, 2020, to file a reply.

Given Mr. Johnson's inability to answer the Court's inquiry as to the number of hours worked by Mr. Johnson and others employed by the firm, including a legal assistant, that were not included in the submitted invoices, Mr. Johnson may want to include that information in his supplemental affidavit or declaration.

Dated this 28th day of October, 2020.


CHARLES C. LOVELL
SENIOR UNITED STATES DISTRICT JUDGE